

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

BA-PAKAL LUMA NATION, on
behalf of its member Thomas
Leon Gibson, also Known as
Black Feather and Coosa
Nation, a sister Nation
and Juridical Personality,

Plaintiff,

v.

1:22-cv-390

CHIEF TRAVIS STROUD, OFFICER
DEVON WILLIAMSON, LIEUTENANT
BRENT J. MACFARLAND, HIGH
POINT POLICE DEPARTMENT,
MAGISTRATE JOSHUA PASCHAL,
MAGISTRATE J.N FOSTER,
DISTRICT ATTORNEY AVERY L.
CRUMP, J. ANDREWS HOWE, ESQ.,
THE STATE OF NORTH CAROLINA,
GOVERNOR ROY COOPER, JOSH
STEIN, ERIC BOYETTE, TORRE
JESSUP, WAYNE GOODWIN,
NORTH CAROLINA DEPARTMENT
OF MOTOR VEHICLES, JONATHAN
EVANS, EVERETT GUYNN, and
DAVIDSON COUNTY

Defendant(s).

ORDER

This matter is before this court for review of the
Recommendation filed on June 7, 2023, by the United States
Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc.
14.) In the Recommendation, the Magistrate Judge recommends that
Plaintiff's Motion for Emergency Injunction, (Doc. 12), be

denied, and that the Application to Proceed In Forma Pauperis, (Doc. 11), be denied without prejudice. The Recommendation was served on the parties to this action on June 7, 2023. (Doc. 15.) Plaintiff timely filed objections, (Doc. 16), to the Recommendation.

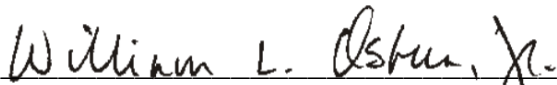
This court is required to make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made. 28 U.S.C. § 636(b)(1). This court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . .[,] or recommit the matter to the [M]agistrate [J]udge with instructions. Id.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a denovo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 14), is **ADOPTED**. **IT IS FURTHER ORDERED** that Plaintiff's Request for Immediate Emergency Injunction, (Doc. 12), is **DENIED**, and that the Application to Proceed In Forma Pauperis, (Doc. 11), is **DENIED** without prejudice to re-filing with a proper complaint by individuals proceeding on

their own behalf or through counsel admitted to practice in this District.

This the 31st day of July, 2023.


United States District Judge